

**REMARKS**

Claims 1-2, 6-11 and 15-16 have been amended. No claims have been canceled. New claims 17-23 have been added. Accordingly, claims 1-23 are currently pending in the application.

**Priority**

Applicants appreciate the Examiner's acknowledgment of the claim for priority and safe receipt of the certified priority document.

**Allowable Subject Matter**

Claims 6-10 and 15-16 have been written in independent form to be in condition for allowance.

**35 U.S.C. §103**

Claims 1-3 and 11-12 stand rejected under 35 USC 103(a) as being unpatentable over Carey et al in view of Jahnes et al. Claims 4-5 and 13-14 stand rejected under 35 USC 103(a) as being unpatentable over Carey et al in view of Jahnes et al as applied to claims 1-3 and 11-12 and further in view of Yoshida et al. These rejections are traversed as follows.

Claims 1 and 11 have been amended to recite that the lower magnetic layer contains at least Ru without referring to

Re. The Examiner's combination of references relies upon the alleged teaching of equivalence of CoCrPtB and Co-Re for use in magnetic recording media.

However, there is no teaching of equivalence between CoCrPtB and Co-Re. In addition, the non-equivalence between these alloys are specifically taught, for example, in the present specification in example 7 (see table 20, sample 701-704 and 706-711 versus the Comparative Example). The Comparative Example is a lower magnetic layer having Co-18at% Cr-9at% Pt-6at% B. Sample 705 in table 20 corresponds to a lower magnetic layer containing an excessive amount of B(23%) as stated at page 43, lines 24-25. Preferably, the B content is set between 0 at% to 20 at% (see page 44, lines 3-5).

Example 7 indicates that the overwrite characteristics (OW) of the CoRu alloy samples (35 dB to 41 dB) are improved by 2 dB to 8 dB as compared to the Comparative Example (33 dB) under a nearly equal solitary reproduction wave output (So) (see page 27, lines 9-14). In addition, Nd/Co of the CoRu alloy samples is vastly improved as compared to the Comparative Example. This results in a remarkable decrease of medium noise in the CoRu alloy sample. Thus, the media S/N of the CoRu alloy samples of this invention are greatly improved.

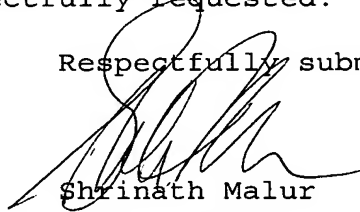
In short, the attempted combination of references does not disclose or suggest that such a result could be obtained

from a CoRu alloy. As such, it is submitted that the pending claims patentably define the present invention over the cited art.

### Conclusion

In view of the foregoing amendments and remarks, Applicants contend that the above-identified application is now in condition for allowance. Accordingly, reconsideration and reexamination are respectfully requested.

Respectfully submitted,



Shrinath Malur  
Registration No. 34,663  
Attorney for Applicant(s)

MATTINGLY, STANGER & MALUR  
1800 Diagonal Rd., Suite 370  
Alexandria, Virginia 22314  
(703) 684-1120  
Date:

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